

REMARKS

Claims 16, 18-42, 44-66, 70-92, 94-116, 118-138, and 140-159 have been rejected by the present final Office Action. After entry of the present amendment, claims 16, 18-42, 44-66, 70-92, 94-116, 118-138, and 140-159 remain pending in the application. The present amendment amends all of the independent claims, claims 16, 42, 68, 92, 116, and 138. No new matter has been introduced. Reconsideration of the application in view of the present amendment and following remarks is respectfully requested.

Examiner Interview

Attorney for the Assignee thanks Examiner Milef for the telephone interview conducted on June 16, 2010. Differences between the cited references and pending claims were discussed. No agreement as to patentability of the claims was reached.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 16, 18, 23-26, 32-35, 37-39, 42, 44, 49-52, 58-61, and 63-65 were rejected under 35 U.S.C. § 103(a) as being obvious over German et al., U.S. Patent Application Publication No. 2007/0136189 ("*German*"), in view of U.S. Patent Application Publication No. 2001/0025271 ("*Allen*"). By the present amendment, independent claims 16 and 42 have been amended to clarify the scope of the claimed inventions of claims 16 and 42. In particular, independent claim 16 has been amended to include the elements, "assigning, by the money transfer system, a unique transaction number to the payment request without receiving card account information or financial account information associated with the buyer, wherein the unique transaction number is associated with the transaction between the buyer and the seller" and "receiving at the money transfer system a payment notification associated with the unique transaction number from the payment location local computer, wherein the payment notification indicates payment in the amount of the grand total amount has been submitted in person at the payment location by or on behalf of the buyer, wherein the amount of the grand total amount is submitted after the unique transaction number is assigned" (underlining supplied). Independent claim 42 has been similarly

amended. These amendments are fully supported by the Applicants' specification at least at FIG. 3, and page 14, line 21 – page 16, line 8, which state in part:

Referring to Fig. 3, the logical operations for the completion of an electronic transaction are illustrated according to one embodiment of the present invention. In response to a request to initiate a transaction, the agent computing system creates a "will pay" transaction and generates a confirmation number at operation 130. The "will pay" transaction is the internal record to the agent computing system which contains the information regarding the particular transaction, including the buyer's information, the seller's information, and a unique confirmation number associated with the transaction.

At operation 132, the agent computing system passes the confirmation number to the merchant via the payment gateway, or directly to the merchant's server.

At operation 134, the merchant passes the confirmation number to the consumer along with an order acknowledgment.

One feature of the present invention is that the agent computing system can optionally track the timeliness of the payment by the consumer. Decision operation 136 determines whether the consumer completes the transaction within an allotted number of days, as governed by an agreement between the merchant and the consumer. Operation 136 can be easily performed by the agent computing system through the use of a timer or date stamps associated with the transaction. In this manner, the agent computing system can track whether a particular transaction has become "stale" or whether the transaction can still be completed by timely payment of the consumer. It is understood, however, that operation 136 is optional.

At operation 138, the consumer visits any agent location worldwide, and provides the agent location with the confirmation number associated with the particular transaction. At operation 140, the agent location references the confirmation number to determine the total amount due from the consumer.

This amount due can be expressed either in the same currency as used by the seller, or in a local currency usable by the buyer.

At operation 142, the consumer pays at the agent location, preferably using cash. However, the agent location could also be equipped to securely accept credit cards, checks, or other forms of payment. In this manner, the consumer has made a payment at a physical location, as opposed to having to communicate confidential credit card account information or checking account information over the Internet.

The cited references do not teach or suggest the amended elements of independent claims 16 and 42, nor do the cited references teach or suggest a “money transfer system” as claimed by independent claims 16 and 42. In contrast, *German* relates to a consumer-to-consumer payment process using flash cash as a payment instrument. *See* paras. [0045] and [0052]. *German* does not teach or suggest the elements of “assigning, by the money transfer system, a unique transaction number to the payment request without receiving card account information or financial account information associated with the buyer, wherein the unique transaction number is associated with the transaction between the buyer and the seller” and “receiving at the money transfer system a payment notification associated with the unique transaction number from the payment location local computer, wherein the payment notification indicates payment in the amount of the grand total amount has been submitted in person at the payment location by or on behalf of the buyer, wherein the amount of the grand total amount is submitted after the unique transaction number is assigned” (underlining supplied). Instead, *German* relates to prearranging a flash cash deposit prior to a desired buyer – seller transaction, and a payment enabler updating a flag in a registration record to indicate the buyer has completed the deposit. *See* FIG. 4A, and paras. [0106] – [0110]. There is no unique transaction number used by *German*, and *German* does not even relate to a money transfer system.

However, the Office Action relies on *Allen* to allegedly teach “a confidential transaction provider facilitating the purchasing process and transferring funds to the seller from the buyer and assigning a unique confidential transaction number to a transaction between the buyer and the seller.” *See* page 4. With respect to *Allen*, neither of the amended elements of “assigning, by the money transfer system, a unique transaction number to the payment request without receiving card account information or financial account information associated with the buyer, wherein the unique transaction number is associated with the transaction between the buyer and the seller” or “receiving at the money transfer system a payment notification associated with the unique transaction number from the payment location local computer, wherein the payment notification indicates payment in the amount of the grand total amount has been submitted in person at the payment location by or on behalf of the buyer, wherein the amount of the grand total amount is submitted after the unique transaction number is assigned” (underlining supplied)

is taught or suggested. Instead, *Allen* relates to use of a CTN (confidential transaction number) in a commercial transaction system, not a money transfer system, which appears to always be obtained only after the Confidential Transaction Provider has contacted and verified with the buyer's Credit Card Company that the buyer has sufficient funds or credit to consummate a desired purchase. See para. [0027]. The Confidential Transaction Provider can continue to verify that the Buyer has sufficient funds or credit up to the point in time the buyer attempts to consummate the purchase. See paras. [0028] – [0029]. Since *Allen* relies on checking whether sufficient credit or funds exist in a buyer's account prior to providing a CTN to the buyer, and in certain instances, continues to verify whether sufficient credit or funds exist in a buyer's account before authorizing the desired buyer – seller transaction, then *Allen* fails to teach or suggest the amended elements of independent claims 16 and 42.

Claims 18, 23-26, 32-35, 37-39, 44, 49-52, 58-61, and 63-65 are ultimately dependent from at least one of independent claims 16 and 42, for which arguments of patentability have been presented above. If the underlying independent claims are patentable over the cited references, the corresponding dependent claims should also be in condition for allowance.

Claims 19-22, 28, 30-31, 41, 45-48, 54, 56-57, 67, 68, 70-76, 78, 80-85, 87-89, 91, 92, 94-100, 102, 104-109, 111-113, 115, 116, 118-123, 125, 127-132, 134-136, 138, 140-145, 147, 149-154, and 156-158 were rejected under 35 U.S.C. §103(a) as being obvious over *German*, in view of *Allen*, in further view of U.S. Patent No. 6,938,013 to Gutierrez-Sheris ("*Gutierrez*"). By the present amendment, independent claims 68, 92, 116, and 138 have been amended to clarify the scope of the claimed inventions of claims 68, 92, 116, and 138. In particular, independent claim 68 has been amended to clarify that the claimed method can include the elements, "assigning at the money transfer system a unique transaction number to the payment request without receiving card account information or financial account information associated with the buyer, wherein the unique transaction number is associated with the transaction between the buyer and the seller" and "receiving at the money transfer system a payment notification associated with the unique transaction number from the payment location local computer, wherein the payment notification indicates payment in the amount of the grand total amount has

been submitted in person at the payment location by or on behalf of the buyer, wherein the amount of the grand total amount is submitted after the unique transaction number is assigned" (underlining supplied). Independent claims 92, 116, and 138 have been similarly amended. These amendments are fully supported by the Applicants' specification at least at FIG. 3, and page 14, line 21 – page 16, line 8, duplicated in part above.

Similar to the arguments above for independent claims 16 and 42, the cited references *German* and *Allen* do not teach or suggest the amended elements of independent claims 68, 92, 116, and 138, nor do these cited references teach or suggest a "money transfer system" as claimed by independent claims 68, 92, 116, and 138. With respect to *Gutierrez*, neither of the amended elements of claims 68, 92, 116, and 138 is taught or suggested. Instead, *Gutierrez* relates to use of a transaction number (col. 7, lines 45-47, and Table 3) which is provided to a beneficiary on a transaction receipt as well as a fund pick up number ("folio") number. The beneficiary appears to provide the folio number and personal identification, such as a photo ID, to claim funds related to the transaction receipt. *See* Col. 2, lines 44-50; Col. 9, lines 4-15. However, *Gutierrez* appears to require a customer's transaction card code to be disclosed prior to the system creating a transaction record and providing a folio number to the customer. *See* Col. 2, lines 44-50. Since *Gutierrez* relies on the customer disclosing transaction card information, such as the transaction card code, as well as the customer prepaying a money amount before receiving a folio number from the system, *Gutierrez* fails to teach or suggest the amended elements of independent claims 68, 92, 116, and 138.

Claims 19-22, 28, 30-31, 41, 45-48, 54, 56-57, 67, 70-76, 78, 80-85, 87-89, 91, 94-100, 102, 104-109, 111-113, 115, 118-123, 125, 127-132, 134-136, 140-145, 147, 149-154, and 156-158 are ultimately dependent from at least one of independent claims 68, 92, 116, and 138, for which arguments of patentability have been presented above. If the underlying independent claims are patentable over the cited references, the corresponding dependent claims should also be in condition for allowance.

Furthermore, dependent claims 27, 40, 53, and 66 were rejected under 35 U.S.C. §103(a) as being obvious over *German* in view of *Allen*, as applied to claims 16 and 42, and in further view of the Godwin reference (Travel Weekly, v44, page 19(2)) ("*Godwin*"). Dependent claims

29 and 55 were rejected under 35 U.S.C. §103(a) as being obvious over *German* in view of *Allen*, as applied to claims 16 and 42, and in further view of the Kraus reference (Kraus, James R. “Regulators Target Illegal Money-Transfer Firms States Fear Companies Abuse Immigrant Clients, Laundering of Drug Funds,” American Banker, New York, New York, Aug. 24, 1998, Vol. 153, Iss. 165, p. 3)(“*Kraus*”). Dependent claims 36 and 62 were rejected under 35 U.S.C. §103(a) as being obvious over *German* in view of *Allen*, as applied to claims 16 and 42, and in further view of U.S. Patent No. 5,497,418 to Kudelski (“*Kudelski*”). Dependent claims 77, 90, 101, 114, 124, 137, 146, and 159 were rejected under 35 U.S.C. §103(a) as being obvious over *German*, in view of *Allen* and *Gutierrez*, as applied to claims 68, 92, and 116, and in further view of *Godwin*. Dependent claims 79, 103, 126, and 148 were rejected under 35 U.S.C. §103(a) as being obvious over *German*, in view of *Allen* and *Gutierrez*, as applied to claims 68, 92, and 116, and in further view of *Kraus*. Dependent claims 86, 110, 133, and 155 were rejected under 35 U.S.C. §103(a) as being obvious over *German*, in view of *Allen* and *Gutierrez*, as applied to claims 68, 92, and 116, and in further view of *Kudelski*.

Dependent claims 27, 29, 36, 40, 53, 55, 62, 66, 77, 79, 86, 90, 101, 103, 110, 114, 124, 126, 133, 137, 146, 148, 155, and 159 are ultimately dependent from at least one of independent claims 16, 42, 68, 92, 116, and 138, for which arguments of patentability have been presented above. If the underlying independent claims are patentable over the cited references, the corresponding dependent claims should also be in condition for allowance.

Objection to the Specification

The Applicants’ specification was objected to for exceeding 150 words. A shortened Abstract has been provided in this paper based on the claim language of amended claim 16. The objection is believed to be traversed.

CONCLUSION

It is not believed that extensions of time or fees for addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029. If the Examiner believes a telephone conversation would facilitate the examination of this application, the Examiner is invited to call the Attorney below at any time.

Respectfully submitted,

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